

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-42316

TILLIM, LLC,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**ORDER DENYING PRUDENTIAL PROTECTIVE SERVICES, LLC'S
"MOTION TO BE APPOINTED AS
ADMINISTRATIVE CREDITOR" (DOCKET # 110)**

On August 12, 2008, Prudential Protective Services, LLC ("Prudential") filed a motion entitled "Prudential Protective Services, LLC's Motion to be Appointed as Administrative Creditor" (the "Motion"), and a Certificate of Service, which indicated that only those parties who receive notice through the Court's ECF system were served with the motion, 15-day notice, and certificate of service. (Docket # 110). On September 30, 2008, Prudential filed a Certificate of No Response, indicating that no one had filed an objection to the motion.

On October 1, 2008, the Court Clerk sent Prudential's attorney an e-mail message from the undersigned judge, stating that service of the Motion and 15-day notice was inadequate, and that Prudential needed to promptly serve all creditors on the matrix and file a certificate of service.¹

¹ The October 1, 2008 e-mail message stated:

Judge Tucker has reviewed the proposed order and related pleadings and requests the following from you:
Message:

There is a problem with your certificate of service. It indicates only that those parties who will received electronic notice through the Court's ECF system were served with your motion and 15-day notice (Docket # 110). That is insufficient. A 15-day notice was required to be served on all creditors on the matrix, plus the Chapter 7 trustee and his counsel. That group isn't necessarily the same as the group that receives electronic notice through the ECF system. There are likely

On October 14, 2008, because Prudential had done nothing in response to the Court's October 1 e-mail, the Court filed a follow-up order, entitled "Order Requiring Prudential Protective Services, LLC To Serve Notice of its 'Motion to Be Appointed as Administrative Creditor' on All Creditors and to File a Certificate of Service" (Docket # 112). The Order provided, in relevant part:

IT IS ORDERED that no later than **October 20, 2008**, Prudential Protective Services, LLC must serve all creditors on the matrix with a 15-day notice of the Motion, and then must promptly file a certificate of such service.

IT IS FURTHER ORDERED that if Prudential Protective Services, LLC does not comply with this order, the Motion will be denied.

To date, Prudential Protective Services, LLC has not complied with October 14, 2008 Order.

Accordingly,

IT IS ORDERED that "Prudential Protective Services, LLC's Motion to be Appointed as Administrative Creditor" (Docket # 110), is DENIED.

Signed on October 24, 2008

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

many creditors on the matrix that do not get electronic notice. So you need to make sure you have served all necessary parties, and file a certificate of service saying so, before I can consider this motion. Please correct this promptly.
Thanks.